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Question of Cyprus

Oceans and the law of the sea

Letter dated 8 December 2016 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

With reference to the letter dated 15 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General of the United Nations (A/70/945-S/2016/541), I have the honour to state the following:

Turkey once again, through a series of unsubstantiated arguments, denies Greece's sovereign rights in the maritime area of the Eastern Mediterranean and its right to proceed to maritime delimitation with States with which it shares common maritime boundaries. Indeed, both the misleading and erroneous use of the principle of equity as a rule governing maritime delimitation, as well as the incidental and partial reading of the jurisprudence of the international courts and tribunals on maritime delimitation, aim at advancing these contentions as contained in the letter of 15 June 2016.

More specifically, Turkey reiterates in the above-mentioned letter its well-known arguments that the Greek islands in the said maritime area are not entitled to maritime zones (continental shelf and/or exclusive economic zones). This position totally ignores the rules of the international law of the sea regarding the rights of the islands to generate maritime zones as well as the process of maritime delimitation as this process has been applied by the international courts and tribunals. Greece wishes to reiterate its position on these issues, as set out on numerous occasions (see notes verbales No. 156.3/1675/12.7.2012 and No. 389/20.2.2013; *Law of the Sea Bulletin*, vol. 81, p. 23; and, recently, letter from the Permanent Representative of Greece, A/70/900-S/2016/474, dated 23 May 2016).

In this respect, concepts such as "land dominates the sea" and "cut-off effect" are used in the above-mentioned Turkish letter and in the abstract and outside the context of a delimitation process, aiming simply at refashioning geography.

Likewise, there is no rule of international law according to which delimitation in semi-enclosed seas "should ... be effected by agreement of all the related parties on the basis of the principle of equity so as not to prejudice the sovereign rights and jurisdiction of other interested States/entities". International law provides in detail the areas of cooperation of States in the case of enclosed and semi-enclosed seas, among which delimitation of maritime areas is not included.

In the light of the above, Greece wishes to reiterate that the Turkish contentions concerning the delimitation of the continental shelf in the Eastern Mediterranean are totally unfounded, as they disregard the sovereign rights of other States, including Greece, in the maritime area of the Eastern Mediterranean west of the meridian 32° 16' 18" E. Such contentions also constitute an interference with the right of Greece to effect delimitation of its maritime areas by agreement with third States on the basis of international law, as already stated in the letter of the Permanent Representative of Greece dated 23 May 2016.

Therefore, Greece refutes, in their entirety, the Turkish allegations contained in the above-mentioned letter from the Permanent Mission of Turkey.

I would be grateful if you could have the present letter circulated as a document of the General Assembly, under agenda items 41 and 73 (a), and of the Security Council, and published in the next *Law of the Sea Bulletin*.

(*Signed*) Catherine **Boura**
Ambassador
Permanent Representative